UNITED STATES OF AMERICA V. JOSE MANUEL SAMANIEGO-GARCIA Defendant In accordance with the Ball Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case. Part I—Findings of Fact 17 The defendant is charged with an offense described in 18 U.S.C. § 3142(f) and has been convicted of a referral offense that would have been a federal offense if a scrime of violence as defined in 18 U.S.C. § 3142(f)(1) and has been convicted of a referral offense for which have been a federal offense if a scrime of violence as defined in 18 U.S.C. § 3156(s)(4). a offense for which the maximum sentence is life imprisonment of two or more prior federal offenses described in 18 U.S.C. § 3142(f)(1), and has been convicted of a referral offense for which a maximum term of imprisonment of two years or more is prescribed in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense. 3 A period of not more than two years has alleged since the diac of conviction release of the defendant finding (1) was committed while the defendant has not rebutted this presumption. 4 Findings Nos. (1), (2) and (3) stablish are arbuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community: I further find that the defendant has not rebutted this presumption. Alternative Findings (A) The offendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as not rebutted the p	Unit	TED STATES DIST	RICT COURT FILED U.S. DISTRICT COURT	
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\$3 3 (12)(n) (A)-(C), or comparable state or local offenses. (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense. (3) A period of not more than five years has elapsed since the date of conviction release of the defendant from imprisonment for the offense described in finding (1). (4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community. I further find that the defendant has not rebutted this presumption. Alternative Findings (A) (1) There is probable cause to believe that the defendant has committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in under 18 U.S.C. § 924(c). (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community. Alternative Findings (B) (1) There is a serious risk that the defendant will not appear. (2) There is a serious risk that the defendant will endanger the safety of another person or the community.				
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^{*}Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 et seq.); or (c) Section I of Act of Sept. 15, 1980 (21 U.S.C. § 955a).